

REMARKS

By the above actions, the specification and claims 1, 8, 9, 11, 14, 18, and 23 have been amended. Additionally, appended to this Amendment are replacement drawings containing Figs. 2 and 5-8 with proper margins in order to address the Draftsman's objection to the drawings. In view of these actions and the following remarks, reconsideration of this application is now requested.

The Examiner's indication of allowable subject matter with respect to claims 12 and 24 have been noted. However, since the independent claims from which these claims depend are believed to be equally allowable, no action is being taken at this time to place claims 12 and 24 in allowable independent form.

Claims 1-10 and 14-22 were rejected under 35 U.S.C. § 112 as being indefinite due to the language of claim 1 quoted by the Examiner in item 2, page 2 of her Office Action. This language has been amend to delete "at least" so as to no longer encompass a comparison of the entire signal with itself but rather now generically defines the performance of a comparison function such as the types of correlation functions set forth in claims 2 and 4, operations which, by themselves, are well known comparison techniques. Thus, the claims should no longer be found to be indefinite and this rejection should be withdrawn.

Claims 23 has been rejected under 35 U.S.C. § 102 as being anticipated by the disclosure of the Hurley patent. To the extent this rejection relates to amended claim 23, it should be withdrawn for the following reasons.

Firstly, it is noted that claim 23 has been amended to reflect the fact that the relates to a circuit that only needs one input, from one transducer, as is apparent from the description and very visible on the drawings. Harley, on the other hand, discloses a 3-input device, i.e., the main signal transducer 3, and the inputs 8 & 9 that are used to compensate for external air-borne noise). The signal processing of Harley relates to performing this noise compensation (col. 5, lines 40-51) and further signal processing compensates effects occurring inside the headset 12, where there are further input transducers 14, 16. While correlation may play a part (e.g., col. 6, lines 32-37), it is not performed on signals that have the same origin, i.e., the disclosed "correlation" does not teach that a single-channel and a multi-channel device are the same or can work the same. Thus, as now amended, claim 23

cannot be considered to be rendered obvious, let alone anticipated, by anything that is disclosed by the Harley patent, so that withdrawal of this rejection is in order and is now requested.

Claim 11 (and evidently also claim 13 even though not included in the statement of the rejection; compare the first full paragraph of page 4 of the action with line 1 of item 6 on page 3) have been rejected under 35 U.S.C. § 103. However, since claim 11 has been amended in the same manner as claim 23, the above comments relative to the distinctions between the invention and the Harley patent apply here too, and for those reasons, this rejection should also be withdrawn.

Even though none of the other independent claims have been rejected on the basis of the Harley patent, it is noted that all of the other independent claims have also been amended in the manner noted above so that Harley should continue to be found not to apply to any of those claims.

While the present application is now believed to be in condition for allowance, should the Examiner find some issue to remain unresolved, or should any new issues arise, which could be eliminated through discussions with applicant's representative, then the Examiner is invited to contact the undersigned by telephone in order that the further prosecution of this application can thereby be expedited.

Respectfully submitted,



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